

CHAPTER 9.

[S. B. 24.]

PARTITION SUITS.

AN ACT relating to costs in partition suits and amending Section 885 of Remington's Compiled Statutes.

Be it enacted by the Legislature of the State of Washington:

Amends Rem.
Comp. Stat.
§ 885; Pierce's
Code § 8331.

SECTION 1. That section 885 of Remington's Compiled Statutes be amended to read as follows:

Costs and
disbursements.

Section 885. The cost of partition, including fees of referees and other disbursements including reasonable attorney fees to be fixed by the court and in case the land is ordered sold, costs of an abstract of title, shall be paid by the parties respectively entitled to share in the lands divided, in proportion to their respective interests therein, and may be included and specified in the decree. In that case there shall be a lien on the several shares, and the decree may be enforced by execution against the parties separately. When, however, a litigation arises between some of the parties only, the court may require the expense of such litigation to be paid by the parties thereto, or any of them.

Passed the Senate January 24, 1923.

Passed the House February 7, 1923.

Approved by the Governor February 16, 1923.